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AND RELATED INTOLERANCE
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REPORTS, STUDIES AND OTHER DOCUMENTATION FOR THE PREPARATORY COMMITTEE AND THE WORLD CONFERENCE

Contribution*/ submitted by the December Twelfth Movement International Secretariat and the International Association against Torture

The Secretary-General has received the following contribution which is circulated in accordance with Economic and Social Council resolution 1996/31.

[7 February 2000]

*/ This contribution is issued, unedited, as received from the submitting non-governmental organization(s).

The December 12th Movement International Secretariat (D12) and the International Association Against Torture (AICT) fully unite that next year's World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance (WCAR) must be action oriented if it is to advance its goal of eradicating racism. It is from this perspective that we make the following observations and proposals.

The Trans-Atlantic Slave Trade, the Slavery of Africans in the Americas and the Colonization of Africa are Central to an Understanding of the Development and Propagation of Racism

Although some countries insist: "Don't look back! Just look forward," we cannot eradicate racism without a clear understanding of its origins.

Racism is based in economics. Colonial expansion and the Trans-Atlantic Slave Trade were, at bottom, economic ventures. The consequent need for European Christianity/Catholicism to find a moral justification for its enslavement of and trade in African human beings gave rise to the ideology of racism. Color prejudice had existed for centuries, but racism institutionalized and systematized this prejudice into an entire framework of ideas which permeated and, in return, were reenforced by every institution in European, American ("American" is used in the sense of ALL THE AMERICAS, not simply the U.S.) and Euro-Pacific (Australia, New Zealand) societies.

The WCAR can clearly indicate its seriousness in attaining its objectives by adopting the resolution "On the Recognition of Slavery and the Slave Trade as a Crime against Humanity." This resolution, which was originally advanced by the African group at the Commission on Human Rights in 1998, was blocked due to the direct intervention of a leading "developed" country.

Globalization and Racism

The economic basis of racism is not simply a historical footnote. Economic benefit explains why racism has continued and is on the ascendancy. There is a direct relationship between the phenomenon of imperialism, under its current rubric of "globalism/globalization," and a rise in racism. The countries which are the primary beneficiaries of racism and racial discrimination are crystal clear about this connection and fear exposing it. This knowledge and fear have been concretely demonstrated in the struggle to formulate resolutions on this item. At both the General Assembly (GA) and the Commission on Human Rights (CHR), the developed countries have resolutely opposed drawing any connection between globalization and racism. In General Assembly resolution A/RES/53/132, the compromise reached was to allude to the connection between economic disparity and racism in the Preamble, but without mentioning the term globalization - i.e. "Noting with concern that racism, racial discrimination, xenophobia and related intolerance may be aggravated by, inter alia, inequitable distribution of wealth, marginalization and social exclusion..."[1]

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[1] .A/RES/53/132, "Third Decade to Combat Racism and Racial Discrimination and the convening of the

In this midst of this retreat from reality, the Sub-Commission on the Promotion and Protection of Human Rights (Sub-Commission) nevertheless produced an excellent report on the Relation between Globalization and Racism.[2] Sub-Commission Expert J. Oloka-Onyango made an irrefutable case for the connection between the ascendancy of new and old forms of racism and the all-encompassing advance of globalization.

Compensation for Crimes Against Humanity

The Trans-Atlantic Slave Trade was a holocaust, a crime against humanity and African people, who remain the first and !ongest suffering victims of racism. Yet they, of all the peoples of the world who have suffered gross violations of human rights, have received the least redress. In 1990, the Sub-Commission commissioned a study on the issue of compensation. The study found a basis for material compensation going to the Jewish victims of the Nazi Holocaust, to the Japanese-Americans who were interned by their own government during World War II. However, when it came to the question of like compensation for the descendants of the victims of slavery in the U.S., the rapporteur stated that it "would be difficult and complex to construe and uphold a legal duty to pay compensation to the descendants of the victims of the slave trade and other early forms of slavery."He concluded that "effective affirmative action is called for in appropriate cases as a *moral* duty."[3] [Emphasis ours]. This refusal to address the gross human rights violations suffered by Africans in the same manner as with other peoples is a further example of the double standard which exists when it comes to redress for Africans.

The question of **reparations** due Africans in the Diaspora and on the African continent is undeniably a sensitive one. But the issue of repair, of making the victims whole, is crucial to any campaign to eradicate racism. Failure to compensate for the labor stolen, the wealth accumulated

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World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance" Preambular para 12, 9 Dec. 1998

[2]. E/CN.4/Sub.2/1999/8, Oloka-Onyango, J. "Globalization in the Context of Increased Incidents of Racism, Racial Discrimination and Xenophobia," 22 June 1999.

[3]. E/CN.4/Sub.2/1993/8 van Boven, Theo, "Study Concerning the Right to Restitution, Compensation and Rehabilitation for Victims of Gross Violations of Human Rights and Fundamental Freedoms," para. 24, 2 July 1993.

and advances made by the "developed" world, all of which flowed from the kidnaping, murder and misery of millions of Africans is a litmus test of any commitment to eliminate racism. There can no longer be a double standard in the arena of compensation. To paraphrase Sojourner Truth, a great African-American freedom fighter, "Ain't we human beings, too?"

The Importance of the UN Special Rapporteur on Contemporary Forms of racism, et al.

The UN already has an important, but underutilized, instrument in place to address racism, i.e. the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance. Due to the breadth of his mandate, the Special Rapporteur on Racism has a distinct advantage over the Committee which monitors compliance with the CERD (Convention on the Elimination of Racial Discrimination.). The CERD's very mandate is restricted to the narrower venue of "racial discrimination" and it has jurisdiction only over those countries which have ratified the convention. One of the problems facing the Special Rapporteur on Racism, et al has been the shortage of resources (both human and financial) available for him to implement his mandate. The WCAR can make a very important statement by endorsing the previous work of the Special Rapporteur and demand that he be provided with the resources necessary to effectuate his mandate. The combination of a strengthened Special Rapporteur working in conjunction with the CERD would pose a formidable international force in combating racism and racial discrimination.

The Importance of Regional and National PrepComs

Europe has scheduled a regional PrepCom for the autumn of 2000. That fact carries great symbolic significance given Europe's history and its initial opposition to the WCAR. In distinct counterpoint is the position of the United States which has stated that it will not hold a national PrepCom for the WCAR. Given the leadership position of the US in today's world, its deplorable history on the issue of slavery, and its continuing racist mistreatment of the descendants of its slaves, the convening of a national PrepCom in that country is extremely important to the overall momentum towards, publicity around and success of the WCAR. The AICT and the December 12th Movement ask that this first PrepCom for the WCAR recommend that the US convene a national PrepCom for the WCAR.